

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
UCN, Inc.)	
)	
Transferee,)	WC Docket No. 05-198
)	
Transtel Communications, Inc.)	
Tel America of Salt Lake City, Inc.)	
Extelcom, Inc.)	
)	
Transferors,)	
)	
Joint International and Domestic Application for Authority)	
Pursuant to Section 214 of the Communications Act of 1934,)	
as amended, to Transfer Certain Assets of Authorized)	
International and Domestic Carriers)	
_____)	

**REPLY COMMENTS OF
UCN, INC.**

UCN, Inc. (“UCN”), through undersigned counsel and pursuant to Section 63.03 of the Commission’s rules,¹ hereby submits the following reply comments in response to the comments filed by APCC Services, Inc. (“APCC Services”) on June 8, 2005, in the above-captioned proceeding.

On May 19, 2005, UCN, Inc. (“UCN”) and Transtel Communications, Inc. (“Transtel”), on behalf of its wholly-owned subsidiaries, Tel America and Extelcom, Inc. d/b/a Express Tel, jointly filed an application pursuant to Section 214 of the Communications Act of 1934, as amended,² (hereinafter referred to as the “Section 214 Application”) requesting authority to enable UCN to

¹ 47 C.F.R. § 63.03.

² 47 U.S.C. § 214.

acquire certain assets of Express Tel and Tel America. The Section 214 Application demonstrates that prompt consummation of the proposed transaction would serve the public convenience and necessity by making it possible for the customers of Tel America and Express Tel to receive from UCN improved services and availability of lower rates, thereby promoting competition in the telecommunications market.³ On May 25, 2005, the Commission released a Public Notice accepting the Section 214 Application as a streamlined application.⁴

On June 8, 2005, APCC Services filed comments asking the Commission to deny the Section 214 Application, condition its approval or remove it from streamlined processing.⁵

As demonstrated below and in reply comments filed by Transtel in the above-captioned proceeding, APCC Services' comments are improper and should not be considered in the context of the Section 214 Application. APCC Services' comments are a bald attempt to use the pending Section 214 Application proceeding to resolve a dispute with one of the subsidiary operating entities, Tel America, that arose over two years ago and has no relation to the proposed transfer of Tel America's and Express Tel's assets to UCN. The position taken by APCC Services is clearly not in the interest of maintaining and improving communications service to consumers and is therefore not in the public interest.

UCN therefore endorses the reply comments filed by Transtel and joins Transtel's request that the Commission deny the relief requested by APCC Services. UCN requests the Commission maintain the Section 214 Application on streamlined processing.

There are additional public interest considerations that UCN believes the Commission should be aware of before it considers taking any action which might delay UCN's acquisition of Tel America and Express Tel customers.

³ Section 214 Application, p. 5, Exh. A.

⁴ Public Notice, WC Docket No. 05-198, DA 05-1509 (May 25, 2005).

⁵ APCC Services' Comments, pp. 1-2.

Tel America and Express Tel transmit an average of 35 million minutes of long distance traffic per month for approximately 16,000 customers. This traffic is now transmitted through DEX 600 switches, which are over 20 years old. These switches do not support certain connectivity models, such as ISDN and SIP. Furthermore, these switches are no longer supported by the manufacturer with respect to spare parts, new voice or T-1 cards, or technical support.

UCN is poised to migrate Tel America and Express Tel customer traffic to its modern and technologically superior telecommunications facilities as quickly as possible following Commission approval of the Section 214 Application. The sooner the migration occurs, the sooner Tel America and Express Tel customers will receive superior services, an expanded menu of features, and greater assurance of service continuity.

Unlike the system currently sustaining service to Tel America and Express Tel customers, UCN's system has built-in redundancy and facilities designed to continue uninterrupted service in the event of a major failure in its switching system. Based on its evaluation, UCN is concerned that a major failure in one of the DEX 600 switches operated by Tel America or Express Tel would result in an unacceptable break in service to customers, which would be damaging to the customers and also to the value of the assets UCN intends to acquire from Tel America and Express Tel.

UCN has also committed significant managerial and operational resources and undertaken large expenditures in anticipation of incorporating Tel America and Express Tel customers into its system on a timetable consistent with the streamlined approval process under Commission rules. Imposing a delay on this process and the integration of Tel America and Express Tel assets with UCN's operations would likely result in significantly higher costs of completing the transaction.

Based on the foregoing and the reply comments of Transtel, which UCN supports, it is clear that the public interest, convenience and necessity would be furthered and the interests of Tel

America's and Express Tel's customers would be best protected and promoted by granting the Section 214 Application on a streamlined basis.

Respectfully submitted,

By: /s/

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CERTIFICATE OF SERVICE

I hereby certify that on June 15, 2005, I caused a copy of the foregoing Reply Comments to be served by electronic mail on the following:

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